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January 12, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

January 12, 2004

Date

Mark B. Wilson

MS DD

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/669,161 entitled "METHODS FOR VACCINE IDENTIFICATION AND COMPOSITIONS FOR VACCINATION COMPRISING NUCLEIC ACID AND/OR POLYPEPTIDE SEQUENCES OF THE HERPES VIRUS FAMILY" – Kathryn F. Sykes et al.*
Our reference: MCRO:002US
U.T. Ref. UTSD:0833

Sir:

Enclosed for filing in the above-referenced patent application is a Supplemental Information Disclosure Statement, Form PTO-1449, and reference C16.

No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/MCRO:002US.

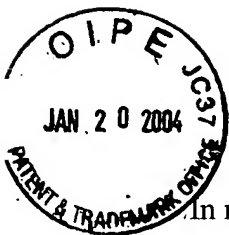
Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

Mark B. Wilson
Reg. No. 37,259

MBW/kmb
Encl.: as noted

25373349.1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Kathryn F. Sykes *et al.*

Serial No.: 10/669,161

Filed: September 23, 2003

For: METHODS FOR VACCINE
IDENTIFICATION AND
COMPOSITIONS FOR VACCINATION
COMPRISING NUCLEIC ACID AND/OR
POLYPEPTIDE SEQUENCES OF THE
HERPES VIRUS FAMILY

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: MCRO:002US

CERTIFICATE OF MAILING
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January 12, 2004

Date

Mark B. Wilson

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS DD

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

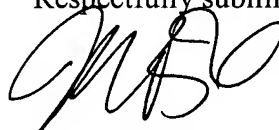
In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. A copy of the listed document required by 37 C.F.R. § 1.98(a)(2) is enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/MCRO:002US.

Applicants respectfully request that the listed document be made of record in the present case.

Respectfully submitted,



Mark B. Wilson
Reg. No. 37,259
Attorney for Applicants

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600 Congress Avenue, Suite 2400
Austin, Texas 78701
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Date: January 12, 2004

Form PTO-1449 (modified)

Atty. Docket No.

Serial No.

MCRO:002US

10/669,161

List of Patents and Publications for Applicant's

Applicant

Kathryn F. Sykes *et al.*

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Filing Date:

September 23, 2003

Group:

Unknown

U.S. Patent Documents
*See Page 1*Foreign Patent Documents
*See Page 1*Other Art
See Page 1

U.S. Patent Documents

| Exam. Init. | Ref. Des. | Document Number | Date | Name | Class | Sub Class | Filing Date of App. |
|----------------|--------------|--------------------|------|------|-------|--------------|------------------------|
| | | | | | | | |

Foreign Patent Documents

| Exam. Init. | Ref. Des. | Document Number | Date | Country | Class | Sub Class | Translation Yes/No |
|----------------|--------------|--------------------|------|---------|-------|--------------|-----------------------|
| | | | | | | | |

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

| Exam. Init. | Ref. Des. | Citation |
|----------------|--------------|--|
| | C16 | Almazán <i>et al.</i> , "Identification of protective antigens for the control of Ixodes scapularis infestations using cDNA expression library immunization," Vaccine, 21:1492-1501, 2003. |

25373342.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.